

**REMARKS**

Claims 1, 9 and 21 are allowed.

The amendments are fully supported by the original disclosure and, thus, no new matter is added by their entry. Applicants note that they did not approve the Examiner's amendments prior to mailing of the Notice of Allowance. Claim 1 is directed to an oligonucleotide that does not occur naturally. Therefore, it is not necessary to specify that the claimed "staple oligonucleotide" is isolated. The present amendment corrects this undue limitation on the scope of patent protection. Further, a grammatical error in claim 21 is corrected. Entry of the amendments is requested to correct these errors, especially the undue limitation on the scope of claim 1. The amended claims do not require additional search and a determination of patentability by the Examiner.

Filing of this Rule 312 Amendment should not shorten the patent term adjustment of 322 days since its filing was necessitated by the Examiner's amendment instead of being Applicants' delay.

Applicants respectfully request return of an initialed copy of the Form PTO-1449 filed May 27, 2009 per M.P.E.P. § 609.

Applicants submit that the claims remain allowable for the reasons of record. The Examiner is invited to contact the undersigned if additional information is required.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_ /Gary R. Tanigawa/  
Gary R. Tanigawa  
Reg. No. 43,180

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100